

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DANIELA SMITH, as co-personal representative of
the Estate of SABATINO CANCELLIERE
2351 High Road
Huntingdon Valley, Pennsylvania 19006
and
MARIANNA SELLECHIA as co-personal
representative of the Estate of SABATINO
CANCELLIERE
2286 Pine Road
Huntingdon Valley, Pennsylvania 19006

Plaintiffs,

v.

ERNESTO REYNA
60 Hoffman Road
Ellington, Connecticut 06029
and
SUPREME AUTO TRANSPORT, INC.
7300 Miller Place, Suite B
Longmont, Colorado 80504

Defendants.

CIVIL ACTION NO.

NOTICE OF REMOVAL

TO: CLERK OF THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

United States District Court for the Eastern District of Pennsylvania
United States Courthouse
601 Market Street
Philadelphia, PA 19106

Pursuant to 28 U.S.C. §§ 1332, 1441, and 1446, Defendants Ernesto Reyna and Supreme Auto Transport, Inc. ("Defendants"), by and through their undersigned counsel, hereby give notice of removal of this action from the Court of Common Pleas for Philadelphia County,

Pennsylvania, Civil Law Division, styled and numbered *Daniela Smith, et al. v. Ernesto Reyna, et al.*, Case No. 171000080, to the United States District Court for the Eastern District of Pennsylvania. As set forth more fully below, the case is properly removed to this Court pursuant to 28 U.S.C. § 1441 because Defendants satisfy the procedural requirements for removal under 28 U.S.C. § 1446. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. § 1332. In support of removal, Defendants aver:

THE STATE COURT ACTION

1. On or about September 29, 2017, Plaintiffs Daniela Smith and Marianna Sellechia (“Plaintiffs”) commenced this action against Defendants by filing a Summons in the Court of Common Pleas of Philadelphia County (the “State Court Action”). A true and correct copy of the Praecipe to Issue Writ of Summons, Writ of Summons, and Summons is attached hereto collectively as Exhibit A.

2. On or about October 6, 2017, Plaintiffs served the Summons via Certified Mail upon Supreme Auto Transport, Inc.

3. On October 9, 2017, Defendants filed a Praecipe for Rule to File Complaint. *See* Praecipe, attached hereto as Exhibit B.

4. On or about October 19, 2017, Plaintiffs filed their Complaint.

5. Plaintiff Daniela Smith is an individual who resides at 2351 High Road Huntingdon Valley, Pennsylvania 19006. *See* Complaint, ¶ 1, attached hereto as Exhibit C.

6. Plaintiff Marianna Sellechia is an individual who resides at 2286 Pine Road Huntingdon Valley, Pennsylvania 19006. *See id.*

7. Plaintiffs’ Complaint arises from a motor vehicle accident that occurred at or near the 9100 block of Roosevelt Boulevard in Philadelphia, Pennsylvania on October 23, 2015 involving Defendant Reyna and decedent Sabatino Cancelliere. *Id.*, ¶¶ 7-13.

8. Plaintiffs contend that Mr. Cancelliere passed away the following day, October 24, 2015, as a result of this motor vehicle incident. *Id.*, ¶ 13.

9. Plaintiffs bring counts against Defendants under Pennsylvania Survivor's Act, 42 Pa. C.S.A § 8301, and Pennsylvania Wrongful Death Act, 42 Pa. C.S.A § 8302. *Id.*, Counts I and II.

DIVERSITY JURISDICTION

10. Under 28 U.S.C. § 1332(a)(1), “[t]he district courts shall have original jurisdiction of all civil actions where the matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs, and is between—citizens of different States.”

11. This action satisfies the complete diversity of citizenship requirement of 28 U.S.C. § 1332(a)(1).

12. Plaintiffs are individuals who reside in and are therefore citizens of the Commonwealth of Pennsylvania. *See* Compl., ¶ 1.

13. Defendant Reyna resides at 60 Hoffman Road Ellington, Connecticut 06029. *See id.* ¶ 2. He is therefore a citizen of the State of Connecticut.

14. A corporation is a citizen of the state in which it is incorporated and in which it maintains its principle place of business. 28 U.S.C. § 1332(c).

15. At all relevant times, Defendant Supreme Auto Transport, Inc. was and is an Oklahoma corporation with its principal place of business in Longmont, Colorado. *See* Compl., ¶ 3. Therefore, for diversity purposes, Supreme Auto Transport, Inc. is a citizen of the States of Oklahoma and Colorado.

16. Complete diversity exists where Plaintiffs are citizens of the Commonwealth of Pennsylvania, Defendant Reyna is a citizen of the State of Connecticut, and Defendant Supreme Auto Transport, Inc. is a citizen of the States of Oklahoma and Colorado.

17. This action also satisfies the amount in controversy requirement of 28 U.S.C. §1332(a)(1). Defendants dispute that they are liable for any amount whatsoever related to the matter in controversy; however, based on Plaintiffs' allegations concerning the claimed damages, which allegedly arise out of the Pennsylvania Survivor's Act and Pennsylvania Wrongful Death Act, it is believed, and therefore averred, that the amount in controversy exceeds \$75,000, exclusive of interests and costs. *See* Compl. ¶¶ 21, 22, 29-31.

18. Accordingly, the United States District Court has original jurisdiction over this action pursuant to 28 U.S.C. § 1332.

REMOVAL JURISDICTION

19. Plaintiffs filed this action in the Court of Common Pleas of Philadelphia County. The Eastern District of Pennsylvania is the judicial district embracing Philadelphia County, the place where the state court action was brought, and, therefore, is the proper district court to which this case should be removed. *See* 28 U.S.C. §§ 1441(a), 1446(a).

20. According to Section 1446(b), "[t]he notice of removal of a civil action or proceeding shall be filed within 30 days after the receipt by the defendant, through service or otherwise, of a copy of the initial pleading setting forth the claim for relief upon which such action or proceeding is based[.]" 28 U.S.C. § 1446(b).

21. Plaintiffs filed their Complaint electronically, and it was received by Defendants through undersigned counsel, on October 19, 2017. Therefore, pursuant to § 1446(b), this removal is timely because 30 days have not elapsed from the date of receipt of the Complaint.

22. Pursuant to Section 1446(a), Defendants are simultaneously filing with this Notice of Removal copies of all process, pleadings, orders, and other papers or exhibits of every kind existing on file in the Court of Common Pleas of Philadelphia County, in this removed action. *See* 28 U.S.C. § 1446(a).

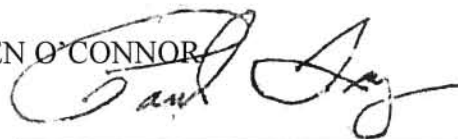
23. Further, pursuant to Section 1446(d), Defendants will file a true and correct copy of this Notice of Removal with the Clerk of the Court of Common Pleas of Philadelphia County. *See* 28 U.S.C. § 1446(d).

24. Defendants reserve the right to raise all defenses and objections in this action after the action is removed to this Court.

WHEREFORE, Defendants Ernesto Reyna and Supreme Auto Transport, Inc. respectfully request that the above-described action pending against them in the Court of Common Pleas of Philadelphia County, Pennsylvania, be removed to the United States District Court for the Eastern District of Pennsylvania.

COZEN O'CONNOR

BY:



Paul K. Leary, Jr., Esquire
Dylan M. Alper, Esquire
One Liberty Place
1650 Market Street, Suite 2800
Philadelphia, PA 19103
(215) 665-2000

Dated: October 26, 2017

Attorneys for Defendants

CERTIFICATE OF SERVICE

I, Paul K. Leary, Jr., hereby certify that on October 26, 2017, I served a copy of the foregoing Notice of Removal on the following via U.S. mail, postage pre-paid:

Timothy R. Hough, Esq.
JAFFE & HOUGH
Two Penn Center, Suite 1907
1500 JFK Blvd.
Philadelphia, PA 19102
Attorneys for Plaintiffs

A handwritten signature in black ink, appearing to read "Paul K. Leary, Jr.", written over a horizontal line.

Paul K. Leary, Jr.

Exhibit A

Court of Common Pleas of Philadelphia County
Trial Division
Civil Cover Sheet

For Prothonotary Use Only (Docket Number)

OCTOBER 2017**000080**

E-Filing Number: 1709070714

PLAINTIFF'S NAME
DANIELA SMITH

DEFENDANT'S NAME
ERNESTO REYNA

PLAINTIFF'S ADDRESS
2351 HIGH ROAD
HUNTINGDON VALLEY PA 19006

DEFENDANT'S ADDRESS
60 HOFFMAN ROAD
ELLINGTON CT 06029

PLAINTIFF'S NAME
MARIANNA SELLECHIA

DEFENDANT'S NAME
SUPREME AUTO TRANSPORTATION INC.

PLAINTIFF'S ADDRESS
2286 PINE ROAD
HUNTINGDON VALLEY PA 19006

DEFENDANT'S ADDRESS
7300 MILLER PLACE SUITE B
LONGMONT CO 80504

PLAINTIFF'S NAME

DEFENDANT'S NAME

PLAINTIFF'S ADDRESS

DEFENDANT'S ADDRESS

TOTAL NUMBER OF PLAINTIFFS

2

TOTAL NUMBER OF DEFENDANTS

2

COMMENCEMENT OF ACTION

☐ Complaint☐ Petition Action☐ Notice of Appeal☒ Writ of Summons☐ Transfer From Other Jurisdictions

AMOUNT IN CONTROVERSY

☐ \$50,000.00 or less☒ More than \$50,000.00

COURT PROGRAMS

☐ Arbitration☒ Jury☐ Non-Jury☐ Other:☐ Mass Tort☐ Savings Action☐ Petition☐ Commerce☐ Minor Court Appeal☐ Statutory Appeals☐ Settlement☐ Minors☐ W/D/Survival

CASE TYPE AND CODE

2V - MOTOR VEHICLE ACCIDENT

STATUTORY BASIS FOR CAUSE OF ACTION

RELATED PENDING CASES (LIST BY CASE CAPTION AND DOCKET NUMBER)

**FILED
PRO PROTHY**
SEP 29 2017
M. BRYANT

IS CASE SUBJECT TO
COORDINATION ORDER?
YES NO

TO THE PROTHONOTARY:

Kindly enter my appearance on behalf of Plaintiff/Petitioner/Appellant: DANIELA SMITH , MARIANNA SELLECHIA

Papers may be served at the address set forth below.

NAME OF PLAINTIFF'S/PETITIONER'S/APPELLANT'S ATTORNEY
TIMOTHY R. HOUGH

ADDRESS
TWO PENN CENTER, SUITE 1907
1500 JFK BLVD
PHILADELPHIA PA 19102

PHONE NUMBER
(215) 564-5200

FAX NUMBER
(215) 563-8729

SUPREME COURT IDENTIFICATION NO.
40898

E-MAIL ADDRESS
jafhough@aol.com

SIGNATURE OF FILING ATTORNEY OR PARTY
TIMOTHY HOUGH

DATE SUBMITTED
Friday, September 29, 2017, 05:40 pm

TIMOTHY HOUGH, ESQUIRE
IDENTIFICATION NO. 40898
JAFKE & HOUGH
TWO PENN CENTER PLAZA, SUITE 1907
15TH STREET & JOHN F. KENNEDY BLVD.
PHILADELPHIA, PA 19102
(215) 564-5200

**DANIELA SMITH as co-personal representative
of the Estate of SABATINO CANCELLIERE**
2351 High Road
Huntingdon Valley, Pennsylvania 19006
and

**MARIANNA SELLECHIA as co-personal representative
of the Estate of SABATINO CANCELLIERE**
2286 Pine Road
Huntingdon Valley, Pennsylvania 19006
v.

ERNESTO REYNA
60 Hoffman Road
Ellington, Connecticut 06029
and

SUPREME AUTO TRANSPORT INC.
7300 Miller Place, Suite B
Longmont, Colorado 80504

MAJOR JURY MATTER
ASSESSMENT OF DAMAGES
HEARING REQUIRED



ATTORNEY FOR PLAINTIFFS

: COURT OF COMMON PLEAS
: PHILADELPHIA COUNTY
: CIVIL DIVISION

: SEPTEMBER TERM, 2017
: NO.:

: JURY TRIAL DEMANDED

PRAECIPE TO ISSUE WRIT OF SUMMONS
MOTOR VEHICLE ACCIDENT

TO THE PROTHONOTARY:

Kindly issue a Writ of Summons - Civil Action, to the defendants in the above matter.

JAFKE & HOUGH

By: 

TIMOTHY R. HOUGH, ESQ.
Attorney for Plaintiffs

Summons
Citation

Commonwealth of Pennsylvania
COUNTY OF PHILADELPHIA

Daniela Smith as co-personal representative of the Estate of SABATINO CANCELLIERE, et al

Plaintiff

VS.

ERNESTO REYNA and SUPREME AUTO TRANSPORT INC.

Defendant

COURT OF COMMON PLEAS

SEPTEMBER Term, 20 17

No. _____

To¹

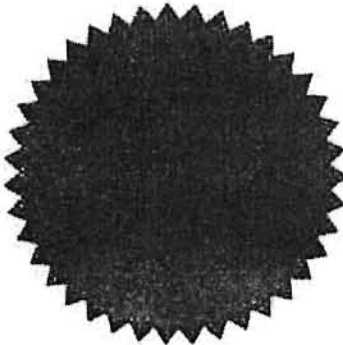
ERNESTO REYNA and
SUPREME AUTO TRANSPORT INC.

Writ of Summons

You are notified that the Plaintiff²
Usted esta avisado que el demandante

DANIELA SMITH and MARIANNA SELLECHIA as co-personal representatives of the Estate of SABATINO CANCELLIERE

Has (have) commenced an action against you.
Ha (han) iniciado una accion en contra suya.



ERIC FEDER
Director, Office of Judicial Records

By: _____
Date: _____



10-208 (Rev. 6/14)

¹ Name(s) of Defendant(s)

² Name(s) of Plaintiff(s)

Case ID: 171000080

Court of Common Pleas

SEPTEMBER Term, 20 17

No. _____

Daniel Smith as co-personal representative of the Estate of MARTINO DAVOLARE, et al

Plaintiff

vs.

ERNESTO REYNA and SUPREMA

Defendant

SUMMONS

Exhibit B

DANIELA SMITH as co-personal representative
of the Estate of SABATINO CANCELLIERE and
MARIANNA SELLECHIA as co-personal
representative of the Estate of SABATINO
CANCELLIERE,

Plaintiffs,

v.

ERNESTO REYNA and
SUPREME AUTO TRANSPORT, INC.,

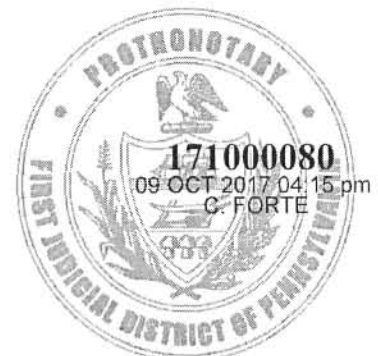
Defendants.

:
:
: PHILADELPHIA COUNTY
: COURT OF COMMON PLEAS
: CIVIL DIVISION
:
:
: OCTOBER TERM, 2017
:
: NO. 00080
:
:
:
:
:
:
:

RULE TO FILE COMPLAINT

AND NOW, this _____ day of _____, 20____, a Rule is hereby granted upon
Plaintiffs to file a Complaint herein within 20 days after service hereof or suffer the entry of a
Judgment of Non Pros.

Prothonotary



CERTIFICATE OF SERVICE

I hereby certify that on October 9, 2017, I served a copy of the foregoing Praecipe for Rule to File Complaint via the court's electronic filing system on all counsel of record.

/s/ Paul K. Leary, Jr.
Paul K. Leary, Jr.

Exhibit C

MAJORY JURY MATTER
ASSESSMENT OF DAMAGES
HEARING REQUIRED

Filed and Attested by the
Office of Judicial Records
18 OCT 2017 05:26 pm
P. MARTIN

TIMOTHY HOUGH, ESQUIRE
IDENTIFICATION NO. 40898
JAFFE & HOUGH
TWO PENN CENTER PLAZA, SUITE 1907
15TH STREET & JOHN F. KENNEDY BLVD.
PHILADELPHIA, PA 19102
(215) 564-5200

**DANIELA SMITH as the co-personal representative
of the Estate of SABATINO CANCELLIERE**

2351 High Road
Huntingdon Valley, PA 19006
and

**MARIANNA SELLECHIA as the co-personal
representative of the Estate
of SABATINO CANCELLIERE**

2286 Pine Road
Huntingdon Valley, PA 19006
v.

ERNESTO REYNA

60 Hoffman Road
Ellington, CT 06029
and

SUPREME AUTO TRANSPORT INC.

7300 Miller Place, Suite B
Longmont, CO 80504

ATTORNEY FOR PLAINTIFFS

COURT OF COMMON PLEAS
PHILADELPHIA COUNTY

CIVIL DIVISION

OCTOBER 2017 TERM
NO.: 0080

JURY TRIAL DEMANDED

COMPLAINT - CIVIL ACTION
MOTOR VEHICLE ACCIDENT

NOTICE

YOU HAVE BEEN SUED IN COURT. IF YOU WISH TO DEFEND AGAINST THE CLAIMS SET FORTH IN THE FOLLOWING PAGES, YOU MUST TAKE ACTION WITHIN TWENTY (20) DAYS AFTER THE COMPLAINT AND NOTICE ARE SERVED, BY ENTERING A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILING IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. YOU ARE WARNED THAT IF YOU FAIL TO DO SO THE CASE MAY PROCEED WITHOUT YOU AND A JUDGMENT MAY BE ENTERED AGAINST YOU BY THE COURT WITHOUT FURTHER NOTICE FOR ANY MONEY CLAIMED IN THE COMPLAINT OR FOR ANY OTHER CLAIM OR RELIEF REQUESTED BY THE PLAINTIFF. YOU MAY LOSE MONEY OR PROPERTY OR OTHER RIGHTS IMPORTANT TO YOU.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP. THE OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER. IF YOU CANNOT AFFORD TO HIRE A LAWYER, THE OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

LAWYER REFERENCE SERVICE
ONE READING CENTER
PHILADELPHIA, PA 19107
(215) 238-8333 TTY (215) 451-8197

AVISO

LE HAN DEMANDADO A USTED EN LA CORTE. SI USTED QUIERE DEFENDERSE DE ESTAS DEMANDAS EXPUESTAS EN LAS PAGINAS SIGUIENTES, USTED TIENE VEINTE (20) DIAS DE PLAZO AL PARTIR DE LA FECHA DE LA DEMANDA Y LA NOTIFICACION. HACE FALTA ASENTAR UNA COMPARENCIA ESCRITA O EN PERSONA O CON UN ABOGADO Y ENTREGAR A LA CORTE EN FORMA ESCRITA SUS DEFENSAS O SUS OBJECIONES A LAS DEMANDAS EN CONTRA DE SU PERSONA. SEA AVISADO QUE SI USTED NO SE DEFIENDE, LA CORTE TOMARA MEDIDAS Y PUEDE CONTINUAR LA DEMANDA EN CONTRA SUYA SIN PREVIO AVISO O NOTIFICACION. ADEMA LA CORTE PUEDE DECIDIR A FAVOR DEL DEMANDANTE Y REQUIERE QUE USTED CUMPLA CON TODAS LAS PROVISIONES DE ESTA DEMANDA. USTED PUEDE PERDER DINERO O SUS PROPIEDADES O OTROS DERECHOS IMPORTANTES PARA USTED.

LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFICIENTE DE PAGAR TAL SERVICIO, VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA CUYA NO DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.

SERVICIO DE REFERENCIA LEGAL
UNO READING CENTRO
FILADELPHIA, PA 19107
(215) 238-8333
TTY (215) 451-8197

1. Plaintiffs are **DANIELA SMITH** and **MARIANNA SELLECHIA**, individually and in their capacity as co-personal representatives of **THE ESTATE OF SABATINO CANCELLIERE**, with Ms Smith residing at 2351 High Road, Huntingdon Valley, Pennsylvania, 19006 and Ms Sellecchia residing at 2286 Pine Road, in Huntingdon Valley, Pennsylvania, 19006.
2. Defendant is **ERNESTO REYNA**, an adult individual residing at 60 Hoffman Road in Ellington, Connecticut, 80504.
3. Defendant is also **SUPREME AUTO TRANSPORTATION, INC**, a business corporation with a registered address of 7300 Miller Place, Suite B, in Longmont, Colorado, 80504.
4. This action is commenced under the Pennsylvania Survivor's Act, 42 Pa. C.S.A. § 8301 and the Pennsylvania Wrongful Death Act, 42 Pa. C.S.A. § 8302.
5. No action was commenced by the Decedent on the matters at issue in this suit during his lifetime.
6. The class of persons legally entitled to recover damages under the Pennsylvania Wrongful Death Act is limited to the Plaintiffs in this action.
7. On or about October 23, 2015 at approximately 5:40 a.m., Plaintiffs' Decedent was lawfully operating his motor vehicle traveling northbound in the far right travel lane of the Roosevelt Boulevard in the 9100 block just south of its intersection with Goodnaw Street in Philadelphia, PA.
8. On October 23, 2015 Defendant Reyna was operating a car transport carrier which he parked just north of the Chapman Ford driveway, facing northbound in the 9300 Block of Roosevelt Boulevard in Philadelphia, Pennsylvania.
9. At all times material hereto, the car transport carrier operated by Reyna was owned by Defendant Supreme Auto Transportation, Inc.
10. At all times material hereto, Defendant Reyna was acting as the agent, servant, or employee of Defendant Supreme Auto Transportation, Inc.

11. After arriving at the vicinity of the Chapman Ford driveway Defendant Reyna allowed his vehicle to remain parked in the right travel lane for an extended period of time prior to the collision referred to below.
12. After bringing his vehicle to a parked position Defendant Reyna left the cab of the car transport carrier and entered the sleeper component of the vehicle.
13. At approximately 5:40am the Plaintiff's decedent, Sabatino Cancelliere while driving northbound in the right travel lane struck into and collided with the rear portion of the car transport carrier and sustained injuries which led to his death on October 24, 2015.
14. The above-mentioned collision resulted from the carelessness and negligence of Defendant Reyna, which included the following:
 - a) Allowing his vehicle to become parked in a travel lane of a major highway in a no-parking zone;
 - b) Parking the semi-tractor trailer in location which was unsafe to other motorists, including Plaintiffs' Decedent;
 - c) Failing to move his vehicle to a location off of the Boulevard so as not to constitute a hazard to motorists operating vehicles upon the roadway;
 - d) Failing to adequately post signs and signals south of his car transport carrier so as to provide adequate warning to Plaintiff's decedent of the obstruction created within the travel lanes of the Boulevard.
 - e) Failing to continuously maintain flasher signals on the car transport carrier while parked in a no-parking zone;
 - f) Creating an obstruction upon the highway;
 - g) Violating Pennsylvania Motor Vehicle Code § 3353.
15. The aforesaid collision resulted from the negligence of Defendant Reyna, and was due in no manner whatsoever to any act or failure to act on the part of Plaintiffs' Decedent.

COUNT I
SURVIVOR'S ACTION

16. Plaintiffs are Daniela Smith and Marianna Sellechia, as co-representatives of the estate of Sabatino Cancelliere.
17. Defendant is Ernesto Reyna.
18. Defendant is Supreme Auto Transportation, Inc.
19. Plaintiffs incorporate the allegations set forth in paragraphs 1 through 11 above as though set forth fully here at length.
20. Plaintiffs bring this action under and pursuant to the Pennsylvania Survivor's Act, 42 Pa. C.S.A. § 8302.
21. As a direct and proximate result of Defendant Reyna's negligence, Plaintiffs' Decedent suffered conscious pain and suffering up until the moment of his death.
22. As a direct and proximate result of Defendant Reyna's negligence, Plaintiffs' Decedent suffered extreme emotional distress, and knowledge of impending doom, disaster and death.

WHEREFORE, Plaintiffs demand judgment in their favor against Defendants for an amount *in excess of Fifty Thousand (\$50,000.00) Dollars.*

COUNT II
WRONGFUL DEATH

23. Plaintiffs are Daniela Smith and Marianna Sellechia, as co-representatives of the estate of Sabatino Cancelliere.
24. Defendant is Ernesto Reyna.
25. Defendant is Supreme Auto Transportation, Inc.
26. Plaintiffs incorporate the allegations set forth in paragraphs 1 through 11 above as though set forth fully here at length.
27. Plaintiffs bring this action under and pursuant to the Pennsylvania Wrongful Death Act, 42 Pa. C.S.A. § 8302.

28. No prior action has been commenced upon the cause of action complained of by anyone within the class referenced at 42 Pa. C.S.A. § 8302.

29. As a direct and proximate result of Defendant Reyna's negligence, Plaintiffs have incurred funeral and burial expenses in the interment of Plaintiffs' Decedent.

30. As a direct and proximate result of Defendant Reyna's negligence, Plaintiffs have incurred expenses in their capacity as co-representatives of Plaintiffs' Decedent's estate.

31. As a direct and proximate result of Defendant Reyna's negligence, Plaintiffs have suffered damages and detriment in the loss of the pecuniary value of Plaintiffs' Decedent's services and in the loss of his comfort, society and tutelage.

WHEREFORE, Plaintiffs demand judgment in their favor and against Defendants in an amount *in excess of Fifty Thousand (\$50,000.00) Dollars.*

JAFFE & HOUGH

By: 

TIMOTHY R. HOUGH, ESQ.
Attorney for Plaintiffs

VERIFICATION

TIMOTHY R. HOUGH, states that he is the attorney for Plaintiffs herein; that he is acquainted with the facts set forth in the foregoing **Complaint**; that the same are true and correct to the best of his knowledge, information and belief; that he has been authorized to make this verification by the Plaintiffs subject substitution of Plaintiffs' original verification and that this statement is made subject to the penalties of 18 Pa. C.S. 4904 relating to unsworn falsification to authorities.


TIMOTHY R. HOUGH, ESQ.
Attorney for Plaintiffs

TIMOTHY HOUGH, ESQUIRE
IDENTIFICATION NO. 40898
JAFJE & HOUGH
TWO PENN CENTER PLAZA, SUITE 1907
15TH STREET & JOHN F. KENNEDY BLVD.
PHILADELPHIA, PA 19102
(215) 564-5200

**DANIELA SMITH as the co-personal representative
of the Estate of SABATINO CANCELLIERE, et al**

v.

ERNESTO REYNA, et al

ATTORNEY FOR PLAINTIFFS

: COURT OF COMMON PLEAS
: PHILADELPHIA COUNTY

:
: CIVIL DIVISION

:
: OCTOBER 2017 TERM
: NO.: 0080

CERTIFICATE OF SERVICE

I, Timothy R. Hough, Esq., attorney for the Plaintiffs above named, do hereby certify that
service of a true and correct copy of Plaintiffs' Complaint was served upon the following:

Paul. K. Leary, Jr., Esq.
Dylan M. Alper, Esq.
COZEN O'CONNOR
One Liberty Place
1650 Market Street
Philadelphia, PA 19103

Via. ECF notification upon approval of the court.

JAFJE & HOUGH

By: 

TIMOTHY R. HOUGH, ESQ.
Attorney for Plaintiffs